

LAW OFFICES OF  
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Attorney for defendant David Reid

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

CR-05-1849 JH

vs.

DAVID REID,

Defendant.

NOTICE OF NON-AVAILABILITY REGARDING *FRANKS* HEARING

The Defendant David Reid, by counsel undersigned, hereby provides notice of non-availability for a portion of April 2010. The parties have agreed that the *Franks* hearing shall not be set before April of 2010 due to trial calendar issues with regard to defense co-counsel and the prosecutor

1 herein. Counsel undersigned will be traveling to Connecticut for a family  
2 religious event and will be out of Tucson from April 15 through and  
3 including Sunday April 18, 2010. When setting the *Franks* hearing, the  
4 Court is respectfully urged to also allow appropriate travel time to and from  
5 New Mexico so as not to interfere with the scheduled departure and return  
6 dates for the long scheduled family event referred to above.  
7

8  
9 RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of December, 2009.

10 LAW OFFICES OF  
11 NASH & KIRCHNER, P.C.

12 By /s/ Walter Nash  
13 Walter Nash for Defendant Reid  
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was delivered to opposing counsel and all other counsel of record *via* the CM/ECF system this 10<sup>th</sup> day of December, 2009.

/s/ Walter Nash

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